

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE VASO ACTIVE PHARMACEUTICALS
SECURITIES LITIGATION

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:
: Consolidated Case No.: 04-10708
: (RCL)
:
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**MERTURI GROUP'S NOTICE OF WITHDRAWAL OF MOTION FOR
APPOINTMENT AS LEAD PLAINTIFF AND APPROVAL OF SELECTION OF
LEAD COUNSEL AND LIAISON COUNSEL**

TO: ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that Luz Merturi, Brenda Reinemund on behalf of Glen Reinemund, Derek Bauer, Maria Pia Hellrigl, and Hector Tarazona (collectively, the “Merturi Group”) hereby withdraw their motion to be appointed as lead plaintiff and for approval of their selection of lead counsel, filed with this Court on June 7, 2004.

DATED: August 11, 2004

Respectfully submitted,

MOULTON & GANS, P.C.

By: /s/ Nancy Freeman Gans
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CERTIFICATE OF SERVICE

I, Nancy Freeman Gans, a member of the law firm Moulton & Gans, P.C., hereby certify that I caused a true and correct copy of the following to be served by regular U.S. Mail to all parties on this 11th day of August 2004.

1. MERTURI GROUP'S NOTICE OF WITHDRAWAL OF MOTION FOR APPOINTMENT AS LEAD PLAINTIFF AND APPROVAL OF SELECTION OF LEAD COUNSEL AND LIAISON COUNSEL

/s/ Nancy Freeman Gans
Nancy Freeman Gans